

Probate Notes for July 15, 2009

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. If you wish to continue a matter, please contact the civil division at (530) 406-6704. If you have questions, you may contact the probate examiner at (530) 406-6802 between the hours of 2 and 4 p.m.

CASE: Probate Conservatorship of John Derylo
Case No. CV P2 09-111

The following are noted:

- (1) The duties and liabilities of conservator form has not been filed. (Prob. Code, § 1834.)
- (2) There is no proof of service of the petition and citation on the proposed conservatee. (Prob. Code, § 1824.)
- (3) Petitioner has not established good cause for dispensing with the filing of a bond. (Prob. Code, §§ 2320 and 2321.) Petitioner should state the amount of the bond. (Item c of the petition.)

CASE: Probate Conservatorship of Katherine A. Hoefer
Case No. CV PB 02-176

It is recommended to approve the Court Investigator's report and to set this matter for biennial review. The following are noted:

- (1) Petitioner did not file a completed proof of service for the notice of hearing. (Prob. Code, §§ 1460 and 2621.)
- (2) Petitioner did not use the mandatory Judicial Council Form GC-400(SUM).
- (3) The information shown on Schedule A (property on hand at beginning of accounting period) for this account contradicts the information shown in Schedule J (property remaining on hand at end of accounting period) for the last account.
- (4) The account and report seeks permission to pay petitioner's attorney the sum of \$2,344.00. Exhibit B to the account and report supports the payment of \$2,054.00 in attorney's fees.
- (5) Original bank statements showing the account balance at the beginning of the accounting period and the account balance as of the closing date of the account period for account number ending 8943 were not provided. (Prob. Code, § 2620, subd. (c)(2).)
- (6) If the conservatee is in a residential care facility or a long-term care facility, the filing must include the original bill statements for the facility. (Prob. Code, § 2620, subd. (c)(5).)
- (7) Petitioner should submit a proposed order.

CASE: Probate Conservatorship of Alma M. Senner
Case No. CV PB 04-109

It is recommended to approve the court investigator's report and to set this matter for biennial review. It is recommended to approve the third account and report of the conservator and to grant the petition for fees.

It is noted that the conservator has failed to pay the \$247.00 court investigator's report fee set forth in the order settling second account and report, filed on May 29, 2007. The conservator must pay said fee.

CASE: Estate of Barbara Jean Agnew
Case No. CV PB 09-14

It is recommended to grant the petition for final distribution on waiver of account and for allowance of attorney's fees. Petitioners should submit a proposed order.

CASE: In the matter of the Regnar Anthony Paulsen Trust
Case No. CV P2 99-45

It is recommended to grant the petition to allow Wells Fargo Bank, N.A. to resign as trustee and to appoint Aletha Liscombe as successor trustee, to serve without bond.